

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
FRANK GAUCK, STEPHEN SOMBROTTO,
MICHAEL SCOTTO, PETE RAY, RICHARD
DI RUSSO, MATTHEW MORRISEY, and
MARVIN WRENN in their capacity as Trustees
of the Tri-Union Health Fund

ORDER OF DISMISSAL

CV-03-1677 (DRH) (MLO)

-against-

AUSTIN ASSOCIATES, INC.
-----X

The Court having been informed by counsel for plaintiffs that the defendant corporation
is currently in Chapter 7 bankruptcy,

IT IS HEREBY ORDERED that the case is dismissed without prejudice to reopen should
defendant emerge from bankruptcy and the plaintiff elect to proceed.

The clerk is directed to close this case.

SO ORDERED.

/S/
DENIS R. HURLEY
United States District Judge

Dated: Central Islip, New York
July 14, 2006